

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ORDER

LUDMILA GULKAROV, ET AL.,
Plaintiffs,
vs.
PLUM, PBC AND PLUM, INC.,
Defendants.

Case No. 4:21-CV-913-YGR

VANESSA MATHIESEN,
Plaintiffs,
vs.
PLUM, PBC,
Defendant.

Case No. 4:21-CV-1763-YGR

CINDY PEREIRA,
Plaintiff,
vs.
CAMPBELL SOUP COMPANY AND PLUM,
PBC,
Defendants.

Case No. 4:21-CV-1767-YGR

AUTUMN ELLISON,
Plaintiffs,
vs.
PLUM, PBC AND PLUM, INC.,
Defendants.

Case No. 4:21-CV-2015-YGR

JESSICA DAVID, ET AL.,

Plaintiffs,

vs.

PLUM, PBC,

Defendant.

Case No. 4:21-CV-2059-YGR

LAUREN SMITH,

Plaintiff,

vs.

PLUM, PBC, ET AL.,

Defendants.

Case No. 4:21-CV-2519-YGR

Pursuant to the April 26, 2021 scheduling conference held in the above-captioned cases, the Court hereby **ORDERS** as follows:

1. The current May 3, 2021 deadline for defendants Plum PBC and Plum, Inc.'s response to the *Gulkarov* consolidated class action complaint (Dkt. No. 15) is **VACATED**.
2. The *Gulkarov*, *Pereira*, *Mathiesen*, *Ellison*, and *David* actions shall be **CONSOLIDATED** pursuant to Fed. R. Civ. P. 42(a) before this Court (hereafter the "Consolidated Action"). The *Smith* action shall *not* be part of the Consolidated Action.
3. All papers filed in the Consolidated Action shall be filed under Case No. 21-CV-00913-YGR and shall bear the following caption:

IN RE PLUM BABY FOOD LITIGATION

This Document Relates to:

Master File No. 4:21-CV-00913-YGR

- 1 4. The case file for the Consolidated Action will be maintained under Master File No. 21-
2 CV-00913-YGR. When a pleading is intended to apply to all actions to which this Order
3 applies, the words “All Actions” shall appear immediately after the words “This Document
4 Relates To:” in the caption described above. When a pleading is not intended to apply to
5 all actions, the docket number for each individual action to which the paper is intended to
6 apply and the last name of the first-named plaintiff in said action shall appear immediately
7 after the words “This Document Relates To:” in the caption identified above, for example,
8 “21-CV-1767, Pereira.”
- 9 5. Any action subsequently filed, transferred or removed to this Court that the Court
10 determines arises out of the same or similar operative facts as the Consolidated Action will
11 be, with the Court’s approval, consolidated with the Consolidated Action for pre-trial
12 purposes. Any party may file a Notice of Related Action pursuant to N.D. Calif. Local
13 Rule 3.12 whenever a party believes a case that should be consolidated into this action is
14 filed in, or transferred to, this District. If the Court determines that the case is related and
15 should be consolidated, the clerk shall:
 - 16 a. place a copy of this Order in the separate file for such action;
 - 17 b. serve on Plaintiffs’ counsel in the new case a copy of this Order;
 - 18 c. direct that this Order be served upon defendants in the new case; and
 - 19 d. make the appropriate entry in the Master Docket.
- 20 6. The parties in the Consolidated Action shall confer on a leadership structure and file any
21 stipulation or motion no later than **June 29, 2021**. Defendants’ position regarding same
22 shall be filed no later than **July 2, 2021**.
- 23 7. Plaintiffs in the Consolidated Action shall file a consolidated complaint no later than
24 **thirty (30) days** after the decision of the Judicial Panel of Multidistrict Litigation should
25 the cases remain before this Court. Defendants shall have **thirty (30) days** after filing to
26 respond.
27
28

1 8. The May 18, 2021 hearing on defendants' pending motion to transfer the *Gulkarov*,
2 *Pereira*, *Mathiesen*, *Ellison*, and *David* actions to the District of New Jersey is **VACATED**
3 to be reset if necessary.

4 This Order terminates Docket Number 29. The Clerk shall hereby **ADMINISTRATIVELY**
5 **CLOSE** the *Pereira* (Case No. 4:21-CV-1767-YGR), *Mathiesen* (Case No. 21-CV-1763-YGR),
6 *Ellison* (Case No. 4:21-CV-2015-YGR), and *David* (Case No. 4:21-CV-2059-YGR) actions.

7 **IT IS SO ORDERED.**

8
9 Dated: **May 3, 2021**

10 
11 YVONNE GONZALEZ ROGERS
12 UNITED STATES DISTRICT COURT JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28